

Remarks/Arguments:

This is a reply to the office action of February 7, 2005.

Objections to the specification:

Typographical errors are being corrected at page 6, second paragraph. Notably, the word "movedd" is being corrected to read "moved".

Figure 1 and the description are being amended to reference the electrical circuit with reference sign 21.

Figure 1 and the description are being amended to reference the signal generation means with reference sign 23.

Drawing Rejections – 37 CFR 1.83(a)

The description is being amended to reference the guide on the postage meter with reference sign 17, and Figure 5 and the related description are being amended to reference the edge of the mail piece by reference sign 18.

Claim Rejections – 35 USC 102

The Examiner rejected the subject-matter of claims 18 to 21, 26 and 27 as anticipated by the disclosure of Woodie *et al* (US Patent 3757685). The rejection is respectfully traversed, for reasons offered below.

We submit that the ordinarily skilled person would not have considered the disclosure of Woodie *et al*. in devising a mail opener for use with a postage meter. Woodie *et al*.

relates to a ticket issuing machine, and is from an entirely unrelated technical field, which would not have been considered by the skilled person.

Moreover, Woodie *et al.* does not disclose a mail opener which is operative to open mail items in the manner of the claimed invention, but rather a ticket issuing machine, which includes a knife (148) for cutting printed ticket stock. Ticket stock is in no way openable.

Furthermore, the claimed invention requires *inter alia* a print head which is movable between operative and inoperative positions, a cutting device which is movable between operative and inoperative positions, and drive means which is operative to displace the cutting device to the inoperative position in response to movement of the print head to the operative position.

In the ticket issuing machine of Woodie *et al.*, the print head (122) is fixed, and, as such, there can be no drive means which is operative to move the print head (122) in the manner as required by the claimed invention. Indeed, Woodie *et al.* makes no suggestion of the print head (122) being movable.

Accordingly, we submit that claims 18 to 21, 26 and 27 patentably distinguish the invention from the disclosure of Woodie *et al.*

Claim Rejections – 35 USC 103

Claim 22 was rejected as unpatentable over Woodie *et al.* in view of Oussani (US Patent 4419915) and the subject-matter of claims 23 to 25 as unpatentable over Woodie *et al.* in view of Clark (US Patent 4493252).

It is submitted that claims 22 to 25 are allowable inasmuch as they depend from an allowable independent claim (claim 18).

Charles Fallow

Charles W. Fallow
Reg. No. 28,946

Shoemaker and Mattare, Ltd.
10 Post Office Road
Silver Spring, MD 20910
(301) 589-8900

August 8, 2005